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EXAMINER

TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,392

Applicant(s)

DEWEY ET AL.

Examiner

Cam Y T Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant has amended claims 1, 21, 25 and 32 in the amendment filed on 8/18/2004. Claims 1-41 are pending in this Office Action.

Applicant's arguments with respect to claims 32-41 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argued that Bly does not teach "automatically obtaining data corresponding to the prior version". Bly teaches that fig. 12 displays a list of different versions (previous version and updated version) of each entry. These versions are stored in a folder 102. Users can copies all of these versions of entries from folder 102 to book 40. It means that a user can copies each previous version or prior version of each entry to the book 40. Thus, a user can select a previous version of an entry and invokes the show detail component symbol 45 in header 41 of shard book window 42 shown in fig. 2. When a user selects the previous version of the entry, the system will automatically contain a set of properties corresponding to previous version of the entry such as the displaying detail properties of updated version of the entry in fig. 5&6. The previous version of the entry is maintained to create the updated version. Copying the previous version of the entry to book 40 indicates that the set of properties corresponding to the previous version of the entry is accessible (col. 19, lines 56-63; col. 20, lines 60-68; col. 37, lines 7-10).

Applicant argued that Bly does not teach "storing any prior version". Bly teaches storing each previous or prior version of each entry in a remote server. For example, Fund End selection has a previous version on 13/3/87 and updated version on 20/3/87.

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Applicant argued that Bly does not teach "the interface displaying information corresponding to at least part of the set of data to enable selection of a file version for restoration from the remote server". Bly teaches the interface in fig. 12 can be used to copy all of version of entries from remote server to the book 40. Copies versions of entries to the book 40 is equivalent as restoration versions from remote server.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 4-6, 7, 9, 12-15, 17, 19, 20-27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853).

As to claim 1, Bly teaches the claimed limitations:

"receiving an request directed to locating at least one version of a selected file or folder" as the shared structured data objects, which are located in a remote digital storage facility or file service represented as a file drawer abstraction of the desktop, are accessed by users to place a digital copy of a digital copy of a structured data object on the user's desktop for subsequent manipulation, editing, revision, insertion of new material. This information indicates that the remote digital storage facility has to receive a request to place a digital copy of a

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structured data object on the user's desktop. A digital copy of a structured data object is represented as a selected file (col. 3, lines 60-67);

"returning information corresponding to the set of data in response to the request" as when a user selects a shared book entry, the system displays all versions of entry details sheet 60A including fields for the entry's name (fig. 5, col. 20, lines 60-67).

Bly does not explicitly teach the claimed limitation "automatically obtaining a set of data corresponding to at least one prior version of that selected file or folder that may be maintained such that the prior version's data is accessible".

Bly teaches that fig. 12 displays a list of different versions (previous version and updated version) of each entry. These versions are stored in a folder 102. Users can copies all of these versions of entries from folder 102 to book 40. It means that a user can copies each previous version or prior version of each entry to the book 40. Thus, a user can select a previous version of an entry and invokes the show detail component symbol 45 in header 41 of shard book window 42 shown in fig. 2. When a user selects the previous version of the entry, the system will automatically contain a set of properties corresponding to previous version of the entry such as the displaying detail properties of updated version of the entry in fig. 5&6. The previous version of the entry is maintained to create the updated version. Copying the previous version of the entry to book 40 indicates that the set of properties corresponding to the previous version of the entry is accessible (col. 19, lines 56-63; col. 20, lines 60-68; col. 37, lines 7-10).

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It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bly's teaching of displaying a list of different versions (previous version and updated version) of each entry to allow a user to copy all of these versions of entries from folder 102 to book 40 and the displaying detail properties of updated version of the entry in fig. 5&6 in order to eliminate user's interaction and save time for storing files in a location or allow a user to keep track history for further maintaining a file and further view a history version of file.

As to claim 2, Bly teaches the claimed limitation "wherein the request is received from a user interface" as (col. 9, lines 30-40).

As to claim 4, Bly teaches the claimed limitation "wherein the request is received via an application programming interface call" as (col. 16, lines 25-35).

As to claim 5, Bly teaches the claimed limitation "requesting a list of one or more timestamps" as (fig. 3, col. 18, lines 15-25), each timestamp corresponding to a shadow volume" as (fig. 2).

As to claim 6, Bly teaches the claimed limitation "wherein the shadow volumes are maintained as differential files" as (col. 18, lines 15-20).

As to claim 7, Bly teaches the claimed limitation "wherein the shadow volumes are maintained on at least one remote server" as (col. 18, lines 10-25).

As to claim 9, Bly teaches the claimed limitation "requesting attributes for each prior version of the selected file or folder that may be maintained" as (figs. 13-15).

As to claim 12, Bly teaches the claimed limitation "returning a set of timestamps corresponding to shadow volumes" as (figs. 3-4).

As to claim 13, Bly teaches the claimed limitation "displaying information corresponding to the set to enable user selection of a timestamp-identified shadow volume" as (fig. 2).

As to claim 14, Bly teaches the claimed limitation "requesting a list of one or more timestamps, each timestamp corresponding to a shadow volume, and further comprising, embedding a timestamp corresponding to a selected file on a shadow volume in a request to access the selected file or file attributes from that respective shadow volume" as (figs. 2-4, col. 23, lines 5-20).

As to claim 15, Bly teach the claimed limitation "embedding an identifier corresponding to a selected file on a shadow volume in a request to access the

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selected file or file attributes from that respective shadow volume” as (fig. 3, col. 23, lines 50-60)

As to claim 17, Bly teaches the claimed limitation “wherein the identifier corresponding to the selected file comprises a timestamp” as (fig. 3, col. 23, lines 50-60).

As to claim 19, Bly teaches the claimed limitation “receiving a second request directed to restoring a selected file version in the set, and accessing the selected file version in response to the request” as (col. 37, lines 50-67).

As to claim 20, Bly teaches the same claimed limitation subject matter in claim 1.

As to claim 21, Bly teaches the claimed limitations:

“a local client, the local client having an interface configured to receive a request directed to locating at least one prior version of a selected file” as the shared structured data objects, which are located in a remote digital storage facility or file service represented as a file drawer abstraction of the desktop, are accessed by users to place a digital copy of a digital copy of a structured data object on the user's desktop for subsequent manipulation, editing, revision, insertion of new material. This information indicates that the remote digital storage facility has to receive a request to place a digital copy of a structured data object on the user's

desktop. A digital copy of a structured data object is represented as a selected file (fig. 12, col. 3, lines 60-67; col. 28, lines 40-60);

"a network communication mechanism" as network communication (col. 15, lines 15-24);

"a remote file server- connected to the local client via the communication mechanism" as user workstations are connected to network file server 16 (col. 15, lines 19-25), "the remote file server having at least one prior version of the file maintained thereon" as the number of remote versions of each shared book entry to be maintained on the file server (col. 17, lines 50-52);

"the interface communicating a request for file version information to the remote file server" as (col. 18, lines 13-25),

"the remote file server responding to the request by returning a set of data corresponding to the at least one prior versions of the file maintained thereon" as (fig 12, col. 19, lines 56-63; col. 20, lines 60-68; col. 37, lines 7-10).

Bly does not explicitly teach the claimed limitation "the interface displaying information corresponding to at least part of the set of data to enable selection of a file version for restoration from the remote server". However, Bly teaches that an example of a folder 102 of remote file is shown in the window representation of a folder in fig. 12. Users may copy entries 44 from folder 102 to desktop 32 or book 40. The folder 102 includes many versions of files. When a user copy an entries of file to desktop 32, it means that copied entries is restored in desktop from remote server (col. 37, lines 7-10).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bly's teaching of coping displayed entries from the folder 102 of remote file to desktop 32 in order to backup files when the system is corrupted.

As to claim 22, Bly teaches the claimed limitation "wherein the interface communicates the request for file version information to the remote file server via a redirector" as (col. 15, lines 15-20).

As to claim 23, Bly teaches the claimed limitation "wherein the interface includes a user interface" as (fig. 3).

As to claim 24, Bly teaches the claimed limitation "wherein the interface includes an application programming interface" as (col. 15, lines 5-10).

As to claim 25, Bly teaches the claimed limitation "wherein the set of data corresponding to the at least one the prior versions of file comprises at least one timestamp" as (fig. 12, col. 37, lines 1-10).

As to claim 26, Bly teaches the claimed limitation "wherein each timestamp corresponds to a shadow volume" as (col. 18, lines 10-25).

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As to claim 27, Bly teaches the claimed limitation "wherein each shadow volume includes a differential file corresponding thereto" as (col. 20, lines 60-67).

As to claim 30, Bly teaches the claimed limitation " wherein the interface is further configured to communicate with the remote server to obtain file attributes" as (fig. 12).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Sherman (USP 5832508).

As to claim 3, Bly discloses the claimed limitation subject matter in claim 1, except the claimed limitation "an operating system shell user interface". Sherman teaches a graphical user interface shell 145 on an operating system (fig. 1B, col. 6, lines 25-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sherman's teaching of Shell interface into Bly's system in order to allow a user to enter operating system commands on the service provider's system through a command-line interface.

5. Claims 8 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Harrison et al (or hereinafter "Harrison")

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As to claim 8, Bly discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein communication with the remote server is via a CIFS file access protocol". Harrison teaches Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol (col. 4, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Harrison's Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol into Bly's system in order to allow users to communicate with server via network system.

As to claim 29, Bly discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein the remote file server communicates with the local client via a CIFS file access protocol". Harrison teaches Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol (col. 4, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Harrison's Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally,

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to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol into Bly's system in order to allow users to communicate with server via network system.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Almond et al (or hereinafter "Almond") (USP 6112024).

As to claim 10, Bly discloses the claimed limitation subject matter in claim 1, except the claimed limitation "filtering any information indicative of a prior version that does not exist". Almond teaches that when a user, using a particular version, issues a query to delete a record, the version control subsystem 11 enables the DBMS 12 to determine whether the row 20(i) containing the record version associated with the version is also associated with other versions higher in the version hierarchy. In that operation, the DBMS 12 can determine whether the row 20(i) contains, in the version identifier field 22, the version identifier for the particular version. If so, the DBMS 12 will set the deleted flag 26 for the row 20(i), thereby to indicate that the record has been deleted. On the other hand, if the DBMS 12 determines that the row 20(i) does not contain, in the version identifier field 22, the version identifier for the particular version, which may be the case if the record has not been created or updated in that version, it will create a new record version for the version for which the record is to be deleted, in the manner described above, and sets the delete flag 26 in that record version.

The DBMS is represented as a filter flag 26 to indicate the record has been deleted. When record has been deleted, this means that the prior version of record has been deleted too (col. 12, lines 1-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Almond's teaching of after filtering the version identifier for the particular version, DBMS 12 will set the deleted flag 26 for the row 20(i), thereby to indicate that the record has been deleted to Bly's system in order to let a user know the file does not exist.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Vasudevan et al (or hereinafter "Vasudevan") (USP 6598059).

As to claim 11, Bly discloses the claimed limitation subject matter in claim 1, except the claimed limitation "filtering information indicative of a prior version that is not unique with respect to a prior version already represented in the set".

Vasudevan teaches filtering record version that includes duplicate versions (col. 9, lines 45-55; col. 18, lines 1-25).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Vasudevan's teaching of filtering record version that includes duplicate versions to Bly's system in order to save time a user to search/retrieve records having duplicated versions.

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8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Trede et al (or hereinafter "Trede") (USP 5873103).

As to claim 16, discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein the identifier corresponding to the selected file is embedded in the request such that distributed file system server name changes at distributed file system -junction points do not affect the identifier". Trede teaches that the name of the storage server is an inadequate identifier, since the name can be changed over time. Since the name of server can be changed. However, the system does not mention whether or not the change of server name can affect the timestamp. Thus, the change of server name may not affect the time same (col. 11, lines 1-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Trede's teaching of the name of the storage server is an inadequate identifier, since the name can be changed over time to Bly's system in order to save time for processing an attribute of a file.

9. Claims 18 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Martin, Jr. et al (or hereinafter "Martin") (USP 6610105).

As to claim 18, Bly discloses the claimed limitation subject matter in claim 1, except the claimed limitation "flagging a request to access the selected file or file

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attributes from that respective shadow volume to indicate that the request corresponds to a shadow volume". However, Martin teaches that the exact access to the right file is dependent on a flag in the request as an example shown in FIG. 4A. A request from the mobile device, if executing a WML browser, comprises a flag "wml" so that the menu generation server can be advised of which file shall be fetched (col. 11, lines 55-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Martin's teaching of access to the right file is dependent on a flag in the request to Bly's system in order to let the system known user can access the file.

As to claim 28, Bly teaches the claimed limitation "wherein the interface communicates the request for file version information to the remote file server via a redirector" as (fig. 2, col. 18, lines 10-25). Bly does not teach the claimed limitation "wherein the redirector is configured -to flag requests seeking information from a shadow volume". Martin teaches that the exact access to the right file is dependent on a flag in the request as an example shown in FIG. 4A. A request from the mobile device, if executing a WML browser, comprises a flag "wml" so that the menu generation server can be advised of which file shall be fetched (col. 11, lines 55-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Martin's teaching of access to the right file

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is dependent on a flag in the request to Bly's system in order to let the system known user can access the file.

10. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Groff et al (or hereinafter "Groff") (USP 5787411).

As to claim 31, Bly discloses the claimed limitation subject matter in claim 30, except the claimed limitation "wherein the interface is further configured to filter the information that is displayed based on the file attributes". Groff teaches an interface is constructed to filter database records that are displayed including attributes such as order date, shipped date (fig. 7, col. 13, lines 25-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Groff's teaching of constructing an interface to filter database records that are displayed including attributes such as order date, shipped date to Bly's system in order to return correct record based on user's input.

11. Claims 32-36 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Midgley et al (or hereinafter "Midgley") (US 6625623).

As to claim 32, Bly teaches the claimed limitations:

“receiving a request to locate information corresponding to prior versions of a file or folder” as the shared structured data objects, which are located in a remote digital storage facility or file service represented as a file drawer abstraction of the desktop, are accessed by users to place a digital copy of a digital copy of a structured data object on the user's desktop for subsequent manipulation, editing, revision, insertion of new material. This information indicates that the remote digital storage facility has to receive a request to place a digital copy of a structured data object on the user's desktop. A digital copy of a structured data object is represented as a selected file (col. 3, lines 60-67);

“obtaining a set of at least one timestamp, each timestamp corresponding to a shadow volume that may have a prior version of the file or folder maintained therein” as (figs. 12&3, col. 18, lines 10-25);

“for each timestamp in the set, requesting file or folder attributes from the corresponding volume” as (col. 29, lines 1-25).

Bly does not explicitly teach the claimed limitation “developing a list based on each response to the request for file or folder attributes; providing prior file or folder version information and accessibility of the prior file or folder versions based on the list in response to the request to locate information”. Midgley teaches that restoring a version of a file based on user request to a user (col. 11, lines 1-25).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Midgley's teaching of restoring a version of

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a file based on user request to a user to Bly's system in order to allow a user to restore any version of a file when file is corrupted and further to view or keep track version history of file in order manner.

As to claim 33, Bly teaches the claimed limitation "wherein receiving a request to locate information comprises receiving an API call" as (col. 29, lines 1-15)

As to claim 34, Bly teaches the claimed limitation "wherein obtaining a set of at least one timestamp comprises communicating with at least one remote file server having at least one shadow volume thereon" as (fig. 12, col. 29, lines 1-15).

As to claim 35, Bly teaches the claimed limitation "wherein requesting file or folder attributes from the corresponding volume comprises, identifying the shadow volume via its corresponding timestamp in the request" as (fig. 12, col. 26, lines 1-30).

As to claim 36, Bly teaches the claimed limitation "embedding the timestamp in a path provided to the remote file server" as (fig. 4).

As to claim 41, Bly teaches the same claimed limitation subject matter in claim 32.

12. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Midgley and further in view of Trede et al (or hereinafter "Trede") (USP 5873103).

As to claim 37, Bly and Midgley disclose the claimed limitation subject matter in claim 36, except the claimed limitation "wherein the timestamp is embedded in the path such that distributed file system server name changes at distributed file system junction points do not affect the timestamp". Trede teaches that the name of the storage server is an inadequate identifier, since the name can be changed over time. Since the name of server can be changed. However, the system does not mention whether or not the change of server name can affect the timestamp. Thus, the change of server name may not affect the time same (col. 11, lines 1-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Trede's teaching of the name of the storage server is an inadequate identifier, since the name can be changed over time to Bly's system and Midgley's system in order to save time for processing an attribute of a file.

13. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Midgley and further in view of Mason.

As to claim 38, Bly and Midgley disclose the claimed limitation subject matter in claim 32, except the claimed limitation "flagging the request such that the remote file server will detect the embedded timestamp". Mason teaches when the SELECT request is received, a server subprocess will be initiated to flag and timestamp the event packet as selected and issue a BORROW or COPY request to the central library facility to cause it to borrow or copy the document of the event packet if it exists in the central library facility and transmit the document to the remote processor from which the request SELECT was received (col. 16, lines 10-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Mason's teaching of when the SELECT request is received, a server subprocess will be initiated to flag and timestamp the event packet as selected and issue a BORROW or COPY request to the central library facility to cause it to borrow or copy the document of the event packet if it exists in the central library facility and transmit the document to the remote processor from which the request SELECT was received to Bly's system and Midgley's system in order to indicate to server to select information for response to a user's request.

14. Claims 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Midgley and further in view of Barney et al (or hereinafter "Barney") (USP 6212512).

As to claim 39, Bly and Midgleys disclose the claimed limitation subject matter in claim 32, except the claimed limitation “determining from the response to the request for file or folder attributes whether the file or folder exists on the shadow volume identified via a timestamp, and if so, including an entry representing the corresponding timestamp in the list”. Barney teaches that the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component (col. 7, lines 20-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barney's the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component to Bly's system and Midgleys' system in order to return a correct list of files to a user properly.

As to claim 40, Bly and Midgleys disclose the claimed limitation subject matter in claim 32, except the claimed limitation “wherein developing a list

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comprises, determining from the response to the request for file or folder attributes whether a unique file or folder entry exists in the list, and if not, adding an entry representing the corresponding timestamp to the list". Barney teaches that the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component (col. 7, lines 20-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barney's the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component to Bly's system and Midgleys' system in order to return a correct list of files to a user properly.

15. Claims 32-36 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of McWilliams (USP 6272547).

As to claim 32, Bly teaches the claimed limitations:

“receiving a request to locate information corresponding to prior versions of a file or folder” as the shared structured data objects, which are located in a remote digital storage facility or file service represented as a file drawer abstraction of the desktop, are accessed by users to place a digital copy of a digital copy of a structured data object on the user's desktop for subsequent manipulation, editing, revision, insertion of new material. This information indicates that the remote digital storage facility has to receive a request to place a digital copy of a structured data object on the user's desktop. A digital copy of a structured data object is represented as a selected file (col. 3, lines 60-67);

“obtaining a set of at least one timestamp, each timestamp corresponding to a shadow volume that may have a prior version of the file or folder maintained therein” as (fig. 3, col. 18, lines 10-25);

“for each timestamp in the set, requesting file or folder attributes from the corresponding volume” as (col. 29, lines 1-25).

Bly does not explicitly teach the claimed limitation “developing a list based on each response to the request for file or folder attributes; providing prior file or folder version information and accessibility of the prior file or folder versions based on the list in response to the request to locate information”. McWilliams teaches that after the computer receiving data files from the initiator, the computer receiving creates a list of files, which are available for transfer to the initiator. Each file, the list gives the name of the file, the size in bytes of the file

and the date of creation of the file (abstract, col. 4, lines 50-65; col. 5, lines 30-37).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply McWilliams' teaching of after the computer receiving data files from the initiator, the computer receiving creates a list of files which are available for transfer to the initiator. Each file, the list gives the name of the file, the size in bytes of the file and the date of creation of the file to Bly's system in order to save time for transferring files from a computer to another computer and eliminate repeat a number step of transferring files to same location.

As to claim 33, Bly teaches the claimed limitation "wherein receiving a request to locate information comprises receiving an API call" as (col. 29, lines 1-15)

As to claim 34, Bly teaches the claimed limitation "wherein obtaining a set of at least one timestamp comprises communicating with at least one remote file server having at least one shadow volume thereon" as (fig. 12, col. 29, lines 1-15).

As to claim 35, Bly teaches the claimed limitation "wherein requesting file or folder attributes from the corresponding volume comprises, identifying the

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shadow volume via its corresponding timestamp in the request" as (fig. 12, col. 26, lines 1-30).

As to claim 36, Bly teaches the claimed limitation "embedding the timestamp in a path provided to the remote file server" as (fig. 4).

As to claim 41, Bly teaches the same claimed limitation subject matter in claim 32.

16. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of McWilliams and further in view of Trede et al (or hereinafter "Trede") (USP 5873103).

As to claim 37, Bly and McWilliams disclose the claimed limitation subject matter in claim 36, except the claimed limitation "wherein the timestamp is embedded in the path such that distributed file system server name changes at distributed file system junction points do not affect the timestamp". Trede teaches that the name of the storage server is an inadequate identifier, since the name can be changed over time. Since the name of server can be changed. However, the system does not mention whether or not the change of server name can affect the timestamp. Thus, the change of server name may not affect the time same (col. 11, lines 1-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Trede's teaching of the name of the storage server is an

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inadequate identifier, since the name can be changed over time to Bly's system and McWilliams's system in order to save time for processing an attribute of a file.

17. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of McWilliams and further in view of Mason.

As to claim 38, Bly and McWilliams disclose the claimed limitation subject matter in claim 32, except the claimed limitation "flagging the request such that the remote file server will detect the embedded timestamp". Mason teaches when the SELECT request is received, a server subprocess will be initiated to flag and timestamp the event packet as selected and issue a BORROW or COPY request to the central library facility to cause it to borrow or copy the document of the event packet if it exists in the central library facility and transmit the document to the remote processor from which the request SELECT was received (col. 16, lines 10-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Mason's teaching of when the SELECT request is received, a server subprocess will be initiated to flag and timestamp the event packet as selected and issue a BORROW or COPY request to the central library facility to cause it to borrow or copy the document of the event packet if it exists in the central library facility and transmit the document to the remote processor from which the request SELECT was received to Bly's system and McWilliams' system in order to indicate to server to select information for response to a user's request.

18. Claims 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of McWilliams and further in view of Barney et al (or hereinafter "Barney") (USP 6212512).

As to claim 39, Bly and McWilliams disclose the claimed limitation subject matter in claim 32, except the claimed limitation " determining from the response to the request for file or folder attributes whether the file or folder exists on the shadow volume identified via a timestamp, and if so, including an entry representing the corresponding timestamp in the list". Barney teaches that the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component (col. 7, lines 20-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barney's the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component to Bly's system and McWilliams' system in order to return a correct list of files to a user properly.

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As to claim 40, Bly and McWilliams disclose the claimed limitation subject matter in claim 32, except the claimed limitation "wherein developing a list comprises, determining from the response to the request for file or folder attributes whether a unique file or folder entry exists in the list, and if not, adding an entry representing the corresponding timestamp to the list". Barney teaches that the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component (col. 7, lines 20-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barney's the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component to Bly's system and McWilliams' system in order to return a correct list of files to a user properly.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kaler et al (US 6766334).

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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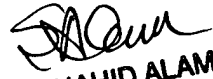
Contact Information

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

Supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Patent Examiner
Art Unit 2162
12/3/2004


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